

eco



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Climate Protection and Human Rights Link

When the African Group raised the stakes in the KP plenary earlier this week, its representatives explained that the action was prompted by the serious human suffering already occurring in Africa due to climate change. This was an important reminder that negotiators must preserve and strengthen human rights language in the negotiating text.

Human rights are the expression of the most basic conditions necessary for a life of dignity. In that light, the link to climate impacts is obvious. As the Office of the High Commissioner on Human Rights concluded in a study released earlier this year, "Climate change-related impacts ... have a range of implications for the effective enjoyment of human rights."

The current negotiating text refers to the human rights implications of climate change as well as the need to protect vulnerable

peoples. This is a critical step in the right direction. However, these references need to be fleshed out and strengthened. Human rights must be central to the definition of both the problems created by climate change and their solutions.

The shared vision text explicitly recognizes that climate impacts "have a range of direct and indirect implications for the full and effective enjoyment of human rights." This welcome language should be strengthened by reaffirming that "human beings have the fundamental right to freedom, equality and adequate conditions of life, in an environment of a quality that permits a life of dignity and well-being," as recognized in the Stockholm Declaration, which is itself referenced in the UNFCCC. The shared vision should also emphasize that a successful international climate framework will require effective mechanisms

for participation at the local, national and international levels, reinforcing Article 6 of the UNFCCC and the Rio Declaration.

The "four pillars" text must also include rights language. The mitigation text should reiterate Parties' existing obligations to respect, protect and promote human rights. Similarly, negotiators must reinsert the reference to human rights obligations removed from the adaptation text in Bangkok, and strengthen text on spillover effects that would ensure that human rights, such as the right to food, guide efforts to identify and prevent such harms. In addition, strengthening the paragraph on climate-induced migration and linking it to human rights would provide crucial protections for the millions likely to be displaced as a result of climate change.

The European and InterAmerican courts of human rights have both recognized that access to information and participation in decision-making are fundamental to protecting human rights in the context of environmental threats. The text must therefore guarantee all relevant stakeholders the rights to information and participation including free prior informed consent for indigenous and other communities in accordance with international obligations.

Last month, the government of the Maldives held an underwater cabinet meeting to highlight climate impacts that would threaten the right to statehood itself. From Africa to the Alps to the Islands, the rights of vulnerable individuals and communities require explicit protection in the final Copenhagen agreement.

As Swiss Foreign Minister Micheline Calmy-Rey said in September, "It is essential from a human rights perspective that the Copenhagen accord not only ensures the reduction of dangerous greenhouse gas emissions, but also guarantees the participation of citizens."

Hatoyama Initiative

Is this all there is? Hope not.

When Prime Minister Hatoyama of Japan announced his "Hatoyama Initiative" for financing developing country actions in his speech at the UN Summit in September, ECO was enthused about several of the principles laid out in his speech: "substantial, new and additional public and private financing"... "innovative mechanisms to be implemented in a predictable manner"... "an international system should be established under the auspices of the UN climate change regime."

Naturally, ECO was looking forward to hearing more about all this. On Monday there was an announcement from the Japanese delegation about the Hatoyama Initiative as an input to the LCA finance informal group.

Frankly, this was a disappointment and it took a day or so to sink in. First of all, the

announcement lacked the drama ECO had anticipated, and the paper was not even distributed. After finally acquiring and reading the text of the submission, things were even more puzzling.

Japan's proposal suggests establishing three funds and a 'dating agency.' So far, so good. But it does not address many of the crucial issues about financing, and it almost looks like they got hold of the US proposal and copied their homework from that.

For example, the proposal does not address the scale of the funds required, and so it falls short of the principle of "substantial, new and additional." It has a mixture of voluntary pledges and a levy on an offsetting mechanism – but relying on pledges is against the spirit of Bali. Finally, Climate Change

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Fossil of the Day Wednesday 4 November



1st Place

USA

The first-place 'Fossil Award' was given to the USA for delaying passage of domestic climate change legislation.

The US ratified the UN's 'Framework Convention on Climate Change' in 1992, promising to reduce its greenhouse gases emissions to 1990 levels by 2000. But it has failed to meet this promise. The US delegation to the international negotiations now says they will follow the lead of the Congress – so the delay in climate legislation hamstringing the US delegation's negotiating ability.

Earlier this year, when the House of Representatives pushed forward climate legislation, it seemed likely that domestic legislation would be passed before the crucial Copenhagen climate summit this December. Recent delay tactics in the US Senate – boycotts and commissioning redundant economic analysis – leave the world wondering whether the US will get it done.

"Other countries – developed and developing alike – have moved forward, committing to emission reductions and advancing prospects of a global deal," said Sara Svensson, a youth climate activist from Sweden.

"It is time for the US Administration and for those on Capitol Hill to get the job done. Their lack of action undermines international trust in the UN negotiations and endangers the prospects of reaching a global solution to climate change."

2nd Place

Canada

The second-place 'Fossil of the Day' award was given to Canada, completing a picture of North American delay tactics at the UN. The award was given for the announcement of Environment Minister Jim Prentice that, for a third time in as many years, Canada was going to postpone the adoption of the regulatory framework for large polluters in Canada until after the Copenhagen Climate Summit.

As recently as September, Minister Prentice promised a full suite of regulatory policies by Copenhagen. This additional delay prompted CAN-I to send a message to Canada: "Strike three, you're out!"

The current Canadian commitment is to reduce its GHG emissions by 3% below 1990 levels by the year 2020, falling well short of its commitment under the Kyoto Protocol. According to the UNFCCC, Canada has one of the worst emission records of all the industrialised world.

The satirical awards were presented in a game-show style ceremony – complete with a presenter adorned in a bright Spanish flamenco outfit – at the conclusions of the day's negotiations and was described as 'the most fun you can have at a UN conference,' where the dominant dress code is the grey suit.

A Little Clarity, Please

Now that the dust has mostly settled and Parties are back at the negotiating table in the KP track, it is a good moment to take stock and reflect on the African Group gambit earlier in the week.

An important result from Wednesday's plenary is that industrialized countries will put their emission reduction targets on the table with no further delays, including the portions that will be met through international offsets and from land use change and forestry. It is truly amazing that after four years of negotiating the post-2012 regime this information isn't readily available. Some Annex I countries haven't even tabled their overall targets yet. (And ECO won't comment here on the non-Kyoto major developed country and whether they have numbers on the table.)

It is no wonder that many developing countries are feeling more than a little frustrated by the lack of progress on emission reductions commitments from rich countries. If all developed countries actually delivered the requested information on their targets it would, at long last, provide the needed clarity on their opening bids, including how much of their effort will be domestic actions to reduce emissions, as well as how much will simply be bought from abroad. And countries planning on achieving a large portion of their target from LULUCF credits could be queried for clarification on how they expect to do so without resorting to weak accounting rules that allow phantom credits.

The agreement to put these details on the table is an important moment in the negotiations. But mind you, what this development does not do is deliver actual decisions, like an aggregate target for developed countries. If that kind of progress isn't seen soon, no one should be surprised if frustrations rise further and tactics become bolder. Of course, further breakdowns, here and going forward in Copenhagen, can be avoided if developing countries see political leadership from their rich counterparts on the critical issues such as Annex I emission targets.

- Hatoyama Initiative: Is That All There Is?

Funds and Green Enabling Environment Funds seem to be managed by existing institutions like the World Bank and GEF with guidance of COP. But is this what "under the auspices of the UN climate change regime" means?

The government of Japan is said to be developing the proposal further. And so, ever helpful and practical, ECO has one suggestion: let's come back to principles and rebuild this initiative from scratch. After all, Japan still has time to come up with a clearer, stronger proposal for Copenhagen.

5 Million + 1 Reasons to be on the Blogs

Have you checked out ECO-digital yet? If not, go to: <http://blogs.climate-network.org> to find all of the ECO articles posted daily in blog format, making it easier to read and share online. There's also a newsletter function that will send ECO daily straight to your inbox.

Speaking of blogs, the word on the street today is that our friends at the Global Campaign for Climate Action will host top blog-

gers and digital campaigners from around the world in Copenhagen. Called the "Fresh Air Center," the GCCA will gather together bloggers with a collective readership of over 5 million viewers a day, filing stories for some of the most influential online news sites. So if you have a message you want to get out to the world, be sure to check out <http://tcktektck.org/freshair> for more information.